

**IN THE IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

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| In re: SMOKINKWR, LLC Debtor. | § § § § § § | Case No. 21-33989 Chapter 11 |
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**NOTICE OF DEFAULT RELATED TO AGREED ORDER
GRANTING KRG KINGWOOD COMMONS, LLC'S
MOTION FOR RELIEF FROM THE AUTOMATIC STAY OR,
IN THE ALTERNATIVE, FOR ADEQUATE PROTECTION**

KRG Kingwood Commons, LLC (“**KRG Kingwood**”) hereby provides notice of Debtor’s default (“**Default Notice**”) under the *Agreed Order Granting KRG Kingwood Commons, LLC’s Motion for Relief from the Automatic Stay or, in the Alternative, for Adequate Protection* [Docket No. 135] (“**Agreed Stay Relief Order**”) and respectfully states as follows:

1. On March 7, 2022, KRG Kingwood filed its *Motion for Relief from the Automatic Stay or, in the Alternative, for Adequate Protection* [Docket No. 122] (“**Motion**”).
2. In the subsequent weeks, counsel for KRG Kingwood, the Debtor and Galveston County entered into the Agreed Stay Relief Order, which the Court entered on March 31, 2022.
3. The Agreed Stay Relief Order provides, in relevant part, that “[i]f there are defaults in any provision of . . . the Lease hereafter, the automatic stay pursuant to section 362 of the Bankruptcy Code shall immediately lift, without further order of the Court, upon the filing of a notice of default by Landlord and the failure to cure any such noticed default within five calendar days.”
4. To date, KRG Kingwood has not received any rent payment for April 2022. As such, the Debtor is in default of the Agreed Stay Relief Order.

5. Unless this default is cured within five calendar days of this Default Notice, KRG Kingwood shall be entitled to immediate relief from the automatic stay without further order of the Court and shall be authorized to take the actions authorized under the Agreed Order, the Lease, and other applicable law.

DATED: April 18, 2022

Respectfully submitted,

SINGER & LEVICK, P.C.

By: /s/ Michelle E. Shriro
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ATTORNEYS FOR:
KRG KINGWOOD COMMONS, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document will be electronically mailed to the parties that are registered or otherwise entitled to receive electronic notices in this case pursuant to the Electronic Filing Procedures in this District, which includes the parties listed below, on this 18th day of April, 2022.

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| <u>DEBTOR:</u> Smokinkwr LLC 2124 Rope Maker Road Conroe, TX 77384-2510 VIA ECF Noticing through its attorney | <u>COUNSEL FOR THE DEBTOR:</u> Thomas Frederick Jones, III Law Office of Thomas F. Jones III 1770 St. James Place, Suite 105 Houston, TX 77056-3441 VIA ECF Noticing |
| <u>TRUSTEE:</u> Brendon D. Singh Tran Singh, LLP 2502 La Branch Street Houston, TX 77004 VIA ECF Noticing | <u>US TRUSTEE:</u> Ha Minh Nguyen Office of the US Trustee 515 Rusk Avenue, Suite 3516 Houston, TX 77002 VIA ECF Noticing |

/s/ Michelle E. Shriro
Michelle E. Shriro